

# CPC Minutes of April 24, 2012

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, April 24, 2012 at 4:45 p.m. in the Department of the Planning and Development (DPD) 1<sup>st</sup> Floor Meeting Room, 444 Westminster Street, Providence, Rhode Island.

## Opening Session

Call to order: Chairman Durkee called the meeting to order at 4:48 p.m.

Members Present: Chairman Stephen Durkee, Andrew Cortes, Harrison Bilodeau, Meredyth Church, Ina Anderson and Christine West

Members Absent: JoAnn Ryan

Staff Present: Robert Azar and Choyon Manjrekar

Approval of meeting minutes from February 28<sup>th</sup>, 2012: Mr. Cortes made a motion seconded by Mr. Bilodeau to approve the minutes. All voted in favor.

Director's Report: Mr. Azar delivered the report. He said Mr. Thomas Deller, the director of the DPD, had left take a similar position in Hartford, CT. An interim director had not been named. He said Ms. West was the newest board member, taking over the seat held by Mr. Bilodeau. Mr. Bilodeau would serve as the Mayor's designee.

## MINOR SUBDIVISION

### 1. Case No. 12-005MI – 479 Washington Street (Preliminary Plan Approval)

The applicant is seeking preliminary plan approval to subdivide the existing lot measuring 14,610 SF with two buildings, into two lots measuring 8,438 SF and 6,172 SF. The subdivision would create a separate lot for each building. (Federal Hill, AP 29 Lot 40, C-4) – for action

Mr. Manjrekar introduced the proposal to subdivide the lot, which is occupied by a garage on West Fountain Street and a mixed use building on Washington Street. The Commission had previously approved the subdivision in 2007, but that approval had expired. Ms. Joelle Sylvia described the subdivision. Mr. Durkee asked why the previous approval expired. The applicant, Mr. Jacobson, said it was related to financial issues. Mr. Manjrekar read out the DPD's staff report, which found the subdivision to conform to the Comprehensive Plan and Zoning Ordinance. The report said that the applicant required parking relief for 14 parking spaces, which could not be accommodated on site. The report recommended that the board make a positive recommendation to the Zoning Board of Review for the relief requested as there was ample onstreet parking available.

Mr. Cortes made a motion seconded by Ms. Church to approve the subdivision and make a positive recommendation to the Zoning Board of Review for the relief requested per the DPD's findings of fact. All voted in favor.

## **COMPREHENSIVE PLAN**

### **2. Review of Comprehensive Plan changes**

Review of changes made to the Comprehensive Plan by the City Council Committee on Ordinances at the Committee's public hearing – for discussion and action

Mr. Azar said the Comprehensive Plan was going through the process of amendment and adoption. He said the Commission had removed the word “maritime” when referring to mixed use development on the waterfront. The Council reinserted the word. He said the Council made changes to the action plan. The Council introduced an item requiring a report on implementing the plan to be submitted annually. Implementation actions to prepare and adopt a preservation strategy for Downtown by 2014 and a Downtown parking study by 2014 were added. Mr. Azar recommended that the CPC accept the changes and take no further action. Mr. Cortes asked why the CPC was named as a reviewing body for the Downtown items rather than the DRC. Mr. Azar said that there wasn't a resolution between historic preservation and Downtown. The parking study was a result of planning for Downtown and the Knowledge District. Both items would originate in the planning department and be reviewed by the CPC.

No further action was taken.

## **INSTITUTIONAL MASTER PLAN**

### **3. Presentation of Providence College's five year Institutional Master Plan**

Adoption of five year Institutional Master Plan for Providence College outlining new development, demolition, capital improvements, operations, parking and circulation – for action (Elmhurst)

Mr. Manjrekar introduced the plan. Mr. Mark Sweeney said the plan took an integrated approach to finances and the institutions academic goals. Mr. Mark Rapoza said the plan was divided into 3 parts with sections one, two and three being an inventory of the college's facilities, section four through seven contained the strategic plan and section eight contained a set of campus plans. He outlined the plan using a map showing where the college intended to grow. Work on the humanities building was intended to begin in the spring. He said the plan followed the Zoning Ordinance's parking requirement. A discussion on parking requirements ensued.

Mr. Rapoza said the biggest change outlined in the plan was construction of the humanities building, which would add almost 60,000 SF of new area and be connected to the library. The plan described the change to Schneider arena, which would provide facilities to the hockey and lacrosse programs. An addition would be built on Dorr hall, used as a residence hall, that would house the business program. A new five story residence hall would be built to make up for the lost living space. Renovations to Hendricken Field would create a new athletic track. A new turf field for the soccer and lacrosse programs would be built on the new Huxley Field and have approximately 1,500 seats.

Mr. Rapoza said 75 parking spaces that would be lost by building the humanities building would be relocated resulting in a net gain of parking spaces. The college requires 1,397 parking spaces but 1,712 would be provided. Mr. Azar asked Mr. Rapoza to speak about the parking area on Cumberland Street. Mr. Rapoza said the houses on those lots were owned by the college, but outside the institutional overlay. He said the college would request a street abandonment for a portion of Cumberland Street. Mr. Mark Sweeney said the College had not expanded beyond the institutional overlay since it was originally established. A discussion on parking ensued.

Mr. Manjrekar read out the DPD's staff report, which found the plan to be in conformance with the Comprehensive Plan and followed the format laid out in the Zoning Ordinance. He said the development outlined in the plan was restricted to the campus and was not expected to have a negative effect on neighboring residences. The development showed efficient use of existing building footprints by planning for multistory development. The DPD recommended that the plan be approved subject to the condition that the applicant hold a community meeting and return to the CPC for a recommendation prior to filing for a zoning map change and partial abandonment of Cumberland Street.

Ms. West made a motion, seconded by Ms. Church to approve the plan subject to the condition of approval by the DPD staff. All voted in favor.

## **CITY COUNCIL REFERRAL**

### **5. Referral 3346 – Petition to amend the Future Land Use Map of the Comprehensive Plan**

The petitioner is requesting that the Future Land Use Map of the Comprehensive Plan be amended so that the Neighborhood/Commercial land use designation is extended to the east to include the area bounded by Cushing, Hope, Angell and Thayer Streets – for discussion (AP 13 Lots 42, 236, 237, 238, 234, 241, College Hill)

### **6. Referral 3347 – Petition to amend the Zoning Ordinance**

Review of proposed changes to the Zoning Ordinance including amending the zoning map to create the C-3 zone for mixed use transit oriented development, changes to dimensional and use regulations, signage and parking – for discussion

## **MAJOR LAND DEVELOPMENT PROJECT**

### **7. Case No. 12-011 MA – 257 Thayer Street (Master Plan Approval)**

The applicant is seeking master plan approval to construct a four story mixed use building with 102 dwelling units intended for student housing and retail. Underground parking and a landscaped interior courtyard will be provided. The applicant has proposed Comprehensive Plan and Zoning Ordinance amendments to accommodate the development – for action (College Hill)

**A transcript of this item is available and will be made part of the record**

Ms. West recused herself and left the table.

Mr. Azar recommended that items 5, 6 and 7 be considered concurrently as they pertained to the same project. He introduced the project saying that it was proposed for a single block on Thayer Street. It met the threshold for a land development project as it proposed over 10 dwelling units. The project was inconsistent with the future land use map of the Comprehensive Plan and the Zoning Ordinance. The applicant required changes to both documents to accommodate the project. He said the CPC's role for the Comprehensive Plan and Zoning Ordinance changes was advisory. He said a public hearing for the Comprehensive Plan change would be held at the CPC's May 15 meeting. Mr. Azar said the CPC would be reviewing the development for master plan approval contingent to the zoning and comprehensive plan changes being granted. The project would return to the CPC for preliminary plan approval if the changes were approved. The project would need to be modified if the changes were not approved.

Ms. Kelly Morris introduced the project. Mr. Robert Gilbane, CEO of Gilbane Development company presented the project. He said the building was intended to cater to the growing student population and would have amenities like furnished apartments, televisions and laundry facilities. He said the building

would revitalize the neighborhood and be in conformance with the Comprehensive Plan. The concept was similar to a project his company had completed in Richmond, VA. The building would promote the use of bicycles and use of the zipcar program. Mr. Gilbane said he needed to obtain development approval by September or the existing apartments on site would be leased till the following year.

Ms. Morris said a zone change was being requested to accommodate a project. A zone called C-3 was being proposed to provide the density and dimensional articulations required by the project. She asked Ed Pimentel to present a zoning report regarding the project as an expert.

Mr. Pimentel said he observed a lot of activity during the day and night, but not on the weekends. He said the existing buildings were old and may not be compliant with building code. There was a lot of impervious surface on site. He said the proposed project would improve the site by concentrating student housing in one location and would be in conformance with the comprehensive plan.

Mr. Azar said the DPD had recommended that the applicant discuss the comprehensive plan change in a wider context considering other possible projects in the area and did not predetermine the area chosen by the applicant. A discussion on the change ensued. Mr. Pimentel continued to present his report in support of the project.

Ms. Morris said she did not agree with a recommendation in the staff report that the applicant conduct a survey of structures on site as the houses weren't in historic district. She requested the Commission to schedule a public hearing for a proposed change to the future land use map of the Comprehensive Plan on May 15. A discussion on the project ensued. Ms. Church said she was concerned that the building could be taken off the tax rolls if it was sold to an institution. Mr. Gilbane said he was willing to execute an agreement ensuring that future owners would continue to pay taxes.

Public comment was taken. Mr. Ed Bishop said he supported the project and the concerns in the College Hill Neighborhood Association's letter. Mr. James Hall of the Providence Preservation Society said he opposed the project as it involved the demolition of houses. Mr. William Touret said he opposed the project because it did not conform to current zoning regulations. Mr. David Kolsky said he opposed the project because it was out of scale with the residential area and would result in the loss of green space. Mr. Josh Eisen said he opposed the project as it was out of scale with the neighborhood, did not conform to the Comprehensive Plan and said other buyers could be found for the houses on site.

Mr. Peter Lipman said he opposed the project and asked to consider the project in the context of the other development that may occur. He said the R-3 zone acted as a buffer between Brown University and residential areas. Ms. Sarah Barker said she opposed the project because she felt it was being considered too fast. She said the building would be out of scale with the neighborhood and would cause traffic problems. Mr. Seth Kurn said he opposed the project as it was inconsistent with the comprehensive plan and zoning ordinance. Ms. Antoinette Breed said she opposed the project as it could exacerbate traffic circulation through residential areas. She said the project would be suited for Downtown and asked that a traffic study be conducted before the project was approved. Ms. Barbara Harris said she opposed the project as the residents of the building would not be invested in the neighborhood and disturb the historic district. Mr. Daniel Yee said he opposed the project as he did not believe that the revenue generated from the project would be significant. He said that the existing houses on site were fully utilized and more housing was not needed. Mr. Christopher Tompkins said the project was being represented by the same team that worked on obtaining a special use permit for a bar on Thayer Street. Mr. Greg Weiss said that the building could attract a high number of students due to the density of dwellings, which could cause circulation and traffic problems on Thayer Street with no way to discipline residents. Ms. Alison Spooner,

president of the College Hill Neighborhood Association said the directors of the association abstained from voting as there was inadequate time for the association to review the proposal and take a stance on the issue. She read out some of the Association's concerns and said she personally supported the project and did not feel that students interacted with the neighborhood as a whole. Mr. Grant Dulgarian said he opposed the project as it relied on extending the commercial land use designation and did not look at the development within the context of other development that may occur in the vicinity.

Mr. Azar said the Commission needed to schedule a public hearing for the change to the future land use map. Mr. Durkee said it could be scheduled for the Commission's meeting on May 15. Mr. Azar said the Commission did not need to hold a public hearing for the zoning change but could make a recommendation to the City Council. He suggested that the item also be on the May 15 agenda. He said the Commission was required to take action on master plan approval contingent on the comprehensive plan and zoning changes being approved. Mr. Cortes asked how the CPC could find conformance with the plan if the plans had not been changed. Mr. Azar said state law allowed for that contingency. Mr. Durkee said the CPC would be voting on the plan concept. A discussion on the plan ensued.

Mr. Durkee said he felt the building design could be improved but the building would be an improvement over what currently exists. Ms. Anderson said she was not comfortable with approving a project that involved demolition of houses and suggested other alternatives. A discussion on alternatives ensued.

Mr. Cortes asked if the project could be continued. Mr. Azar said a continuation wouldn't give the applicant a direction in which to proceed. Mr. Durkee asked to hear the DPD's staff report. Mr. Azar said the points in the staff report had been spoken about. He said there would be more opportunities for public comment as the project proceeded. A traffic study needed to be conducted and the applicant needed to provide documentation about the structures on site. There are opportunities to refine the building's design. The building was in conformance with a number of comprehensive plan objectives, but was inconsistent with the future land use map. The project was inconsistent with the zoning ordinance and there were opportunities to refine the building design.

He recommended that the CPC approve the Master plan subject to the conditions that a utility and stormwater management plan and a traffic study be presented at the preliminary plan stage. The applicant should prepare a survey of structures of site and refine the design to interact with the surroundings. A public hearing for changes to the comprehensive plan and zoning ordinance should be scheduled for the following month. The project should be refined if the changes fail to be approved.

Mr. Cortes made a motion seconded by Mr. Bilodeau to approve the Master Plan subject to the recommendations contained in the staff report. The motion passed 4-1 with Ms. Anderson voting against it.

### **Adjournment**

Mr. Cortes made a motion seconded by Mr. Bilodeau to adjourn the meeting. All voted in favor. The meeting adjourned at 8:28 pm.

Respectfully Submitted,



Choyon Manjrekar,  
Recording Secretary